

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/805,838 Confirmation No. 1494
Applicant : Miller et al.
Filed : March 22, 2004
Title : CHEMILUMINESCENT COMPOUNDS AND USE THEREOF

TC/A.U. : 1600/1645
Examiner : HAQ, S.

Docket No. : A1514-DIV
Customer No. : 33197

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to fax number 703-872-9306, on the date indicated below.

July 5, 2005

/Greg S. Holtrigel, Reg. # 45374/
Greg S. Holtrigel

LETTER TRANSMITTING TERMINAL DISCLAIMER

Dear Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. The Commissioner is hereby authorized to charge the necessary fee of \$130.00 (37 CFR 1.20(d)) to Deposit Account No. 13-5135.

Respectfully submitted,

Date: July 5, 2005

/Greg S. Holtrigel, Reg. # 45374/
Greg S. Holtrigel
Registration No. 45,374
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TERMINAL DISCLAIMER

Sir:

Your petitioner, Quest Diagnostics Investments, Inc., having a place of business at 300 Delaware Avenue, Wilmington, Delaware, by its practitioner, Greg S. Holtrigel, of record in the above-identified application, represents that it is the assignee, as shown by the assignment recorded in the Patent and Trademark Office on March 22, 2004, at Reel 015131, Frame 0581, of the entire right, title and interest in and to the above-identified application.

Pursuant to 37 CFR 3.73(b), your petitioner, as assignee of the above-identified application, hereby states that the above-noted assignment, the evidentiary document on which ownership of the above-identified application is established, has been reviewed. Further, your petitioner hereby certifies that, to the best of your petitioner's knowledge and belief, title to the above-identified application is in your petitioner, as assignee seeking to take the action in this Terminal Disclaimer.

Your petitioner, Quest Diagnostics Investments, Inc., hereby disclaims the terminal part of any United States patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,723,851, and hereby agrees that any United States

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patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to United States Patent No. 6,723,851, this agreement to run with any patent granted on the above-identified application and be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,723,851 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: July 5, 2005

/Greg S. Hollrigel, Reg. # 45374/
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